

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter B. Madoff  
Serial No. : 09/392,018  
Filed : September 8, 1999  
Title : OPENING PRICE PROCESS FOR TRADING SYSTEM

Art Unit : 2165  
Examiner : Thompson

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE

In response to the action mailed December 21, 2001, please amend the application as follows:

In the claims:

Please amend claims 1, 11 and 21 as follows:

1. (Amended Twice) A method of determining an opening price for a product traded in a trading system, the method executed over a distributed network computer system, said method comprising:

receiving orders from customers for the product, the orders specifying a quantity and whether the order is a buy or sell order;

determining an imbalance condition between received buy orders and received sell orders for the product; and

posting an allocation message to market maker participants to communicate the market maker participants' expected allocations of the imbalance for execution by the market maker participants at an initial opening of the market on the side of the imbalance in the event that the imbalance exists at the opening. --

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 22, 2002  
Date of Deposit

Diane M. Miles  
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Diane M. Miles  
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